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EXAMINER	
EHICHIOYA, FRED I	

ART UNIT	PAPER NUMBER
2162	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/752,732	MARGOLUS, NORMAN H.	
	Examiner	Art Unit	
	Fred I. Ehichioya	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *114 - 116, and 164 - 169* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *114 - 116, and 164 - 169* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is responsive to communication filed July 18, 2007.

2. Claims 114 – 116, and 164 - 169 are pending in this Office Action.

Response to Arguments

3. Applicant's terminal disclaimer filed July 18, 2007 overcomes the nonstatutory obviousness-type double patenting rejection of the last Office Action; therefore, the nonstatutory obviousness-type double patenting rejection has been withdrawn.

4. Applicant's amendment to claim 1 filed July 18, 2007 overcomes the rejection of claims 114 – 116 under 35 U.S.C 101 of the last Office Action; therefore, the rejection of claims 114 – 116 under 35 U.S.C 101 has been withdrawn.

5. Applicant's arguments with respect to claims 114 – 116, and 164 - 169 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 114 recites the limitation "the bits of a content data". There is insufficient antecedent basis for this limitation in the claim.

The term "the bits of a content data" in claim 114 is a relative term that renders the claim indefinite. The term "the bits of a content data" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

The term "proxy repository" in claims 114, 115, 164 and 166 is a relative term that renders the claim indefinite. The term "proxy repository" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Regarding claim 165, the phrase "which it has ever browsed" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "which it has ever browsed"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 114 – 116, and 164 - 169 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pub. No. 2002/004626 issued to Heilig et al., (Hereinafter "Heilig") in view of US Pub. No. 2002/0129168 issued to Kanai et al., (Hereinafter "Kanai") and further in view of U.S. Patent No. 6,636,953 issued to Yuasa et al (hereinafter "Yuasa").

Regarding claim 114, Heilig discloses a method by which multiple clients browse content on a network and preserve access to content that is no longer on the network, the method comprising:

retrieving for each of the multiple clients, content data items stored at network storage locations, accessing the content data items via a proxy servers (see page 2, [0031]);

providing a proxy repository different from the network storage location and connected to the proxy server (see Fig. 4 step 412).

Heilig does not explicitly teach digital fingerprint or expiration time as claimed.

Kanai discloses determining a digital fingerprint from the bits of a content data item that is a one of the content data items retrieved for a one of the multiple clients from a one of the network storage locations (page 12, [0209]: "a method for checking the data corresponding to the fingerprints recorded in the log table");

testing for whether the content data item is already stored in the proxy repository by comparing the digital fingerprint of the content data item to the digital fingerprints of content data items already in storage in the proxy repository (page 16, [0280]: "checks whether the data having this fingerprint name exists in the fingerprint cache 234 or not");

ensuring that a stored data item identical to the content data item exist in the proxy repository by storing the content data item in the proxy repository if comparing establishes that a data item identical to the content data item is not already in the proxy repository (page 16, [0280]: "checks whether the data having this fingerprint name exists in the fingerprint cache 234 or not. Here it does not exist, so that it is the first time data and this data is entered (registered) into the fingerprint cache"), and not storing the content data item in the proxy repository if comparing establishes that a data item identical to the content data item is already in the proxy repository (see page 16, [0276]: "in which case the other data that gives the same fingerprint as the registered fingerprint will not be cached");

associating the stored data item with an access authorization credential uniquely associated with the one of the multiple clients or a person associated with the one (page 1, [0014]).

Further, Yuasa discloses assigning an expiration time to the stored data item, before which time both modification and deletion are prohibited (see column 13, lines 10 – 11);

Whereby the stored data item is preserved and can be retrieved using the access authorization credential (column 2, lines 35 – 38) even after the content data item is no longer present at the one of the network storage locations (see column 6, lines 40 – 42).

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine teaching of the cited references because Kanai's teaching of "digital fingerprint" would have allowed Heilig's system to monitor the authenticity of data transmitted. The motivation is that data integrity is preserved.

Further, Yuasa's teaching of "expiration time" would have allowed Heilig and Kanai's system to monitor data item's expiration time and delete data item that have expired time thereby creating storage space for the needed data.

Regarding claim 115, Yuasa discloses the proxy repository comprises a plurality of storage sites (Fig. 4 step 2007 and column 39, lines 13 – 15), and a set of rules governing the assignment of the expiration time are communicated to the plurality of storage sites (column 4, lines 11 – 20).

Regarding claim 116, Yuasa discloses the expiration time assigned to the stored data item depends upon an expiration times assigned by the one of the multiple clients (column 38, lines 61 - 62).

Regarding claim 164, Yuasa discloses wherein the proxy repository retains all content browsed by the one of multiple clients, thereby preserving the content after it has been altered or removed from the network (see column 6, lines 40 – 43).

Regarding claim 165, Heilig discloses wherein the one of the multiple clients uses a search engine to search and access all content which it has ever browsed (see Fig.1 step 102).

Regarding claim 166, Heilig discloses using information maintained by the proxy repository, about the number of times that stored data items have been browsed by the multiple clients or how recently the data items have been browsed, in an algorithm that orders Web search results (page 11, [0159]).

Regarding claim 167, Yuasa discloses wherein after expiration time is assigned, subsequent browsing activity by the multiple clients can cause the expiration time to be changed to a later time but cannot change the expiration time to an earlier time (see column 38, lines 49 – 51).

Regarding claim 168, Yuasa discloses wherein the expiration time is assigned a value that indicates that the stored data item will never expire (column 38, lines 61 – 62).

Regarding claim 169, Heilig discloses wherein the network is the Internet, the one of the multiple clients is a Web browser program, the content data item is a Web page, and the one of the network storage locations is a Web server (Fig. 1 and page 7, [0101]).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 571-272-4034. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Fred I. Ehichioya/

September 22, 2007